

06/14/01



jc885 U.S. PTO

**BOX PATENT APPLICATION**

Attorney Docket No.: 23138A-T

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

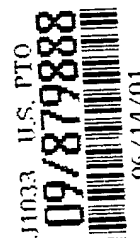
STEINER, et al.

Serial No. Not yet assigned

Filed: June 14, 2001

Title: **HETEROCYCLIC ESTER AND AMIDE HAIR GROWTH COMPOSITIONS AND USES**

(Divisional of U.S. Patent Application No. 09/089,377, filed June 3, 1998)



**TRANSMITTAL LETTER**

The Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Filing Form For Divisional U.S. Patent Application;
- (3) Divisional application including:
  - 62 Pages Application Consisting of:
    - 38 Pages of Textual Specification
    - 18 Pages of 32 Claims
    - 1 page Abstract of the Disclosure
    - 5 sheets of drawings
- (4) Preliminary Amendment
- (5) Copy of executed Declaration and Assignment with cover sheet
- (6) Information Disclosure Statement
- (7) PTO Form-1449
- (8) Check No. 14912 \$710.00 for filing fee
- (9) Postcard for early notification of serial number.

Respectfully submitted,

**NATH & ASSOCIATES PLLC**

By:

Gary M. Nath  
Registration No. 26,965  
Todd L. Juneau  
Registration No. 40,669  
Lee C. Heiman  
Registration No. 41,827  
Customer No. 20529

Date: June 14, 2001

NATH & ASSOCIATES PLLC

1030 15<sup>th</sup> Street, NW - 6<sup>th</sup> Floor

Washington, D.C. 20005

GMN/TLJ/LCH/ls:DIVappl.trans

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

STEINER, et al.

Serial No.: Not yet assigned

Filing Date: June 14, 2001

Title: **HETEROCYCLIC ESTER AND AMIDE HAIR GROWTH COMPOSITIONS AND  
USES**

FILING FORM

FOR DIVISIONAL U.S. PATENT APPLICATION

Commissioner of Patents  
Washington, D.C. 20231

Sir:

1. This is a Request for filing a  
    \_\_\_ Continuation Application under:  
        \_\_\_ 37 CFR § 1.53(b)(1)  
    x Divisional Application under:  
        x 37 CFR § 1.53(b)(1)  
    \_\_\_ Continuation-In-Part (CIP) application  
        \_\_\_ 37 CFR § 1.53(b)(2)
- of **prior** ("parent") application:  
    Serial No. 09/089,377  
    Filed: June 3, 1998  
    Entitled: **HETEROCYCLIC ESTER AND AMIDE HAIR GROWTH  
COMPOSITIONS AND USES**
2. X \*Enclosed for application under 37 CFR §§ 1.53(b) are:  
    57 pages of text (specification, claims, abstract)  
    32 claims  
    5 sheets of drawings

3. The **present** application names the following inventor(s):

Joseph P. STEINER and Gregory S. HAMILTON

— (37 CFR § 1.53--"CIP") The above-identified application (in which no payment of the Issue Fee, abandonment of or termination of proceedings has occurred) is hereby expressly abandoned as of the filing date of this new application.

The **Total Filing Fee** is calculated as follows:

— Enter the Amendment filed in the prior patent application on \_\_\_\_\_ prior to calculating the filing fee.

XX Enter the enclosed Preliminary Amendment prior to calculating the filing fee.

	(Col 1)		(Col 2)	SMALL ENTITY		OR	NON-SMALL ENTITY	
	NUMBER OF CLAIMS FILED		NUMBER OF EXTRA CLAIMS	RATE	FEE		RATE	FEE
TOTAL	16	minus 20	0	x9=	0		x18=	0
INDEP	1	minus 3	0	x40=	0		x80=	0
BASE FILING FEE:				+355=	0		+710=	710
<u>xx</u> Multiple Dependent Claims				+130=	0		+270=	0
TOTAL					0	OR TOTAL		710

— Applicant(s) is/are a "small entity". A Verified Statement Claiming Small Entity Status:  
 — was filed in the parent application, and small entity status is still proper and desired (Rules 60, 62 only);  
 — is filed herewith;  
 — will be filed at a later date.

X A check including the above-indicated filing fee is enclosed.

— A Petition for Extension of Time (to keep the parent case pending) is enclosed, with a check including the \$ extension fee.

☐ Assignment document(s) is/are submitted herewith, with a check including the recordation fee of \$40.00 per Assignment.

☐ No check is enclosed. A Declaration and Power of Attorney will be submitted at a later date pursuant to 37 CFR §§ 1.41, 1.53, together with a check for the "Total Filing Fee" calculated above and a surcharge under 37 CFR § 1.16(e).

☒ The prior application is assigned of record to Guilford Pharmaceuticals, 6611 Tributary Street, Baltimore, Maryland 21224, the Assignment being recorded on July 27, 1998, on Reel 9346, Frame(s) 0610, which in turn assigned the application to GPI NIL Holdings, Inc., 222 Delaware Avenue, Wilmington, Delaware 19899, the Assignment being recorded on July 30, 1998, on Reel 9355, Frame(s) 0466.

☐ An original executed Declaration is enclosed.

☒ Amend the specification by replacing the first sentence with the following:

--This application is a divisional of U.S. Patent Application No. 09/089,377, filed on June 3, 1998--

☐ Foreign priority under 35 U.S.C. § 119 of \_\_\_\_\_ application(s) \_\_\_\_\_, filed \_\_\_\_\_, is hereby claimed. The certified priority paper(s):

☐ was/were filed in the parent case;

☐ is/are enclosed herewith;

☐ will be submitted at a later date.

☒ The power of attorney in the prior application is to Gary M. Nath, Registration No. 26,965, Customer No. 20529.

☒ The power appears in the original papers in the prior application.

X Address all future communications to:

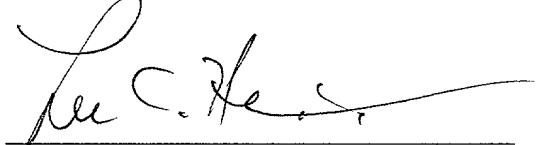
Gary M. Nath  
**NATH & ASSOCIATES PLLC**  
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Washington, D.C. 20005

\_\_\_\_ If extensions of time under 37 CFR § 1.136 other than those provided herewith are required to prevent abandonment of the parent application, then such extensions of time are hereby petitioned to allow copendency of the parent and the present continuing application. The Commissioner is hereby authorized to charge fee deficiency under 37 CFR § 1.17, or credit any overpayment, to Deposit Account No. 14-0112. A duplicate copy of this Form is enclosed.

X The Commissioner is hereby authorized to charge any fee deficiency under 37 CFR §§ 1.16 and 1.17 which may be required, or credit any overpayment, to Deposit Account No. 14-0112. A duplicate copy of this Form is enclosed.

Respectfully submitted,

**NATH & ASSOCIATES PLLC**



Date: June 14, 2001

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